

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

V.V.V. & SONS EDIBLE OILS LIMITED,
Appellant

v.

**MEENAKSHI OVERSEAS LLC, dba Meenakshi
Overseas,**
Appellee

2016-1100

Appeal from the United States Patent and Trademark
Office, Trademark Trial and Appeal Board in No.
92060602.

Before REYNA, *Circuit Judge*.

O R D E R

Upon consideration of the United States Patent and Trademark Office's "Notice Forwarding Certified List for Premature Appeal," this court considers whether this appeal should be dismissed as premature, as there appears to be remaining issues pending before the Trademark Trial and Appeal Board.

This appeal arises from a cancellation proceeding at the Board for three of Appellee's registrations. Appellee

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moved for summary judgment on the grounds of claim preclusion based on the Board's judgment in a prior opposition proceeding. On July 15, 2015, the Board issued an order that dismissed the cancellation proceeding as to Registration No. 4006654, but resumed the cancellation proceeding as to the other two registrations. Appellant seeks review of the Board's order insofar as it dismissed proceedings as to the 4006654 registration.

At this point in time it appears that this appeal is premature, and this court lacks jurisdiction to hear the appeal until the Board renders its final decision. *See Copelands' Enters. Inc. v. CNV, Inc.*, 887 F.2d 1065, 1068 (Fed. Cir. 1989) (en banc) (holding that a Board decision is reviewable only if it "put[s] an end to the litigation before the Board" and that a party dissatisfied with a Board decision "must await and raise all claims of error in a single appeal").

Accordingly,

IT IS ORDERED THAT:

(1) Appellant is directed to show cause, within 14 days of the date of filing of this order, why the appeal should not be dismissed. Appellee may respond within 14 days thereafter.

(2) The briefing schedule is stayed.

FOR THE COURT

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court